

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/EP2004/013662
International Filing Date : 1 December 2004 (01.12.2004)
Priority Date(s) Claimed : 24 December 2003 (24.12.2003)
Applicant(s) (DO/EO/US) : Gerard MOINET, et al.

Title: ACIDIC QUINOLINE DERIVATIVES AND THEIR USE FOR THE PREVENTION
AND/OR TREATMENT OF HYPERGLYCAEMIA-RELATED PATHOLOGIES

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97
and 1.98 as follows:

Timing and Fees

- ☒ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information
disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA
under § 1.53(d);
 - ☒ within three months of the actual filing date of the national phase of a PCT
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 - ☐ before the mailing of a first substantive office action (including after filing of an
RCE).
- ☐ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods
specified in 37 C.F.R. § 1.97(b), but before the mailing date of:
- a final rejection under 37 C.F.R. 1.113;
 - termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
 - a notice of allowance under 37 C.F.R. § 1.311; and

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☐ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).

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- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
- ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☒ Copies of materials listed but not attached were cited in an international search report dated March 11, 2005.
- ☐ Not required by 37 CFR § 1.98.
- ☐ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

☒ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).

☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:

X = document of particular relevance when it is taken alone

Y = document of particular relevance when it is combined with another such document

A = document defining the general state of the art

O = non-written disclosure

P = intercalated document

T = document cited to understand the theory or principle underlying the invention

E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date

D = cited in the application

L = cited for another reason

& = publication of member of same patent family

☐ Translation of other relevant information on foreign search report

Other Information

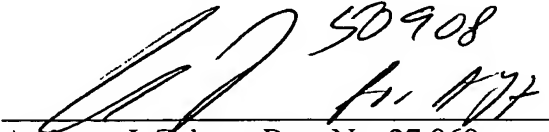
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☐ A check for \$_____ covering the fee identified above is attached.

☐ Please charge to Deposit Account No. 13-3402 \$_____ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,


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Attorney Docket No.: MERCK-3186

Date: June 22, 2006

AJZ:ssr

AP20 Rec'd PCT/PTO 22 JUN 2006

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number US 2004/012662
Filing Date 01 December 2004 (01.12.2004)
First Named Inventor Gerard MOINET, et al.
Group Art Unit unknown
Examiner Name unknown
Attorney Docket Number MERCK-3186

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	001	5,026,700	A	HARRISON ET AL.	06-25-1991
	002	6,025,369	A	MONAGHAN ET AL.	02-15-2000
	003	5,942,540	A	KOZACHUK, WALTER	08-24-1999
	004	2003/087926	A1	BLOMS-FUNKE ET AL.	05-08-2003
	005	5,245,046	A	YOUNGDALE ET AL.	09-14-1993
	006	5,026,700	A	HARRISON ET AL.	06-25-1991

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	007	WO	03/010146	A	KLOTZ ET AL.	02-06-2003		
	008	EP	0 433 679	A	SENJU PHARMA CO	06-26-1991		
	009	EP	0 398 283	A	MERRELL DOW PHARMAC	11-22-1990		006
	010	FR	2 791 263	A	MALINA HALINA ZOFIA	09-29-2000		
	011	WO	2004/007461	A	PRANA BIOTECHNOLOGY LTD.	01-22-2004		
	012	WO	2004/045614	A	ASTRAZENECA AB, ET AL	06-03-2004		

Examiner Signature

Date Considered

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	USNPCT PCT/PTO 01/013962	
			Filing Date	01 December 2004 (01.12.2004)	
			First Named Inventor	Gerard MOINET, et al.	
			Group Art Unit	unknown	
			Examiner Name	unknown	
Sheet	2	of	2	Attorney Docket Number	MERCK-3186

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	013	HARRISON, BOYD L. ET AL: "4-(CARBOXYMETHYL) OXY!-AND 4-(CARBOXYMETHYL) AMINO!-5,7-DICHLOROQUINO LINE-2-CARBOXYLIC ACID: NEW ANTAGONISTS OF THE STRYCHNINE-INSENSITIVE GLYCINE BINDING SITE ON THE N-METHYL-D-ASPARTATE (NMDA) RECEPTOR COMPLEX" JOURNAL OF MEDICINAL CHEMISTRY, 33(12), 3130-2 CODEN: JMCMAR; ISSN: 0022-2623, 1990, XP001199578	
	014	SALITURO, FRANCESCO G. ET AL: "3-(2-CARBOXYINDOL-3-YL)PROPIONIC ACID-BASED ANTAGONISTS OF THE NMDA (N-METHYL-D-ASPARTIC ACID) RECEPTOR ASSOCIATED GLYCINE BINDING SITE" JOURNAL OF MEDICINAL CHEMISTRY, 35(10), 1791-9 CODEN: JMCMAR; ISSN: 0022-2623, 1992, XP001199577	
	015	DATABASE CHEMABS 'ONLINE! CHEMICAL ABSTRACTS SERVICE, COLUMBUS, OHIO, US; KOTAKE, YAHITO ET AL: "XANTHURENIC ACID. XVI. INHIBITORY ACTION OF 4-HYDROXY-8-METHOXYQUINOLINE-2-CARBOXYLIC ACID, ETHEREAL SULFATE OF XANTHURENIC ACID, AND KYNURENIC ACID ON THE DIABETOGENIC PROPERTY OF XANTHURENIC ACID" XP002294269, RETRIEVED FROM STN, DATABASE ACCESSION NO. 1958:31214 ABSTRACT & JOURNAL OF BIOCHEMISTRY (TOKYO, JAPAN), 44, 787-95 CODEN: JOBIAO; ISSN: 0021-924X, 1957	
	016	CARVALHO ET AL: "ROLE OF ENDOGENOUS ANGIOTENSIN II ON GLUTAMATERGIC ACTIONS IN THE ROSTRAL VENTROLATERAL MEDULLA IN GOLDBLATT HYPERTENSIVE RATS" HYPERTENSION, (2003 OCT) JOURNAL CODE: 7906255. ISSN: 1524-4563; XP008034587	
	017	KOTAKE ET AL: "A POSSIBLE DIABETOGENIC ROLE FOR TRYPTOPHAN METABOLITES AND EFFECTS OF XANTHURENIC ACID ON INSULIN" AMERICAN JOURNAL OF CLINICAL NUTRITION, vol. 24, no. 7, JULY 1971, PAGES 826-829, XP000867441; ISSN: 0002-9165	
	018	SANDERS ET AL: "L-AMINO ACID INHIBITION OF EPINEPHRINE-INDUCED HYPERGLYCEMIA: PHARMACOLOGY, 6(3), 155-63 CODEN: ISSN: 0031-7012, 1971, XP008034538	
	019	STONE ET AL: "ENDOGENOUS KYNURENINES AS TARGETS FOR DRUG DISCOVERY AND DEVELOPMENT" NATURE REVIEWS, DRUG DISCOVERY, AUG 2002, vol. 1, no. 8, PAGES 609-620, XP008034547; ISSN: 1474-1776	
	020	EDMONT ET AL: "SYNTHESIS AND EVALUATION OF QUINOLINE CARBOXYGUANIDINES AS ANTIDIABETIC AGENTS" BIOORGANIC & MEDICINAL CHEMISTRY LETTERS, 1831-1834 CODEN: BMCLE8, ISSN: 0960-894X, 2000, XP002294268	
	021	NICOLAUS: "SYMBIOTIC APPROACH TO DRUG DESIGN" DECISION MAKIN IN DRUG RESEARCH, 1983, PAGES 173-186, XP002197412	

Examiner Signature	Date Considered
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